



FISH RICHARDSON P.C.

SUBSTITUTE PTO/SB/64A

#6

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL  
FILING (37 CFR 1.137(f))**

Docket Number (Optional)  
12587-004001

First named inventor: Andrus et al.

Application No.: 10/072,551

Art Unit: 2185

Filed: 2/7/2002

Examiner:

Title: PROVIDING HUMAN PERFORMANCE MANAGEMENT DATA AND INSIGHT

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703)308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703)305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely  
notify the Office of the filing of an application in a foreign country or under a multinational international treaty that  
requires publication of applications eighteen months after filing. The date of abandonment is the day after the  
expiration date of the forty-five (45) day period set in 35 U. S. C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
UNDER 37 CFR 1.137(b)**

**1. Petition fee**

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity-fee \$ 1,300.00 (37 CFR 1.17(m))

**2. Notice of Foreign or International Filing (35 U. S. C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))**

Subsequent to the filing of the above-identified application, an application was filed in  
another country, or under a multinational international treaty (e. g., filed under the Patent  
Cooperation Treaty), that requires publication of applications eighteen months after filing.  
The filing date of the subsequently filed foreign or international application is February 5, 2003.

10/03/2003 AUSDAF1 00000024 10072551

01 FC:1451

1300.00 DP

10/03/2003 AUSDAF2 00000052 10072551

01 FC:1453

1300.00 DP

Adjustment date: 06/08/2004  
10/03/2003 AUSDAF2 00000052 10072551  
01 FC:1453  
Rep'n. Ref: 06/08/2004 AUELLEY 0011192500  
Date: 06/10/50 Name/Number: 10072551  
FC: 9204  
\$1300.00 CR

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**OFFICE OF PETITIONS**

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

9/30/2003

Date

Frank R. Occhiuti  
Signature

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Address

Enclosures:

Fee payment of \$1,300.00

Other:

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703)308-6916.

9/30/2003

Date

Matthew G. Doherty  
Signature

Matthew G. Doherty

Type or printed name of person signing certificate